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Security Council

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Letter dated 31 December 2007 from the Chairman of the Security Council Committee established pursuant to resolution 1737 (2006) addressed to the President of the Security Council

I have the honour to transmit herewith the report of the Security Council Committee established pursuant to resolution 1737 (2006) (see annex), which covers the Committee's activities during the period 23 December 2006 to 31 December 2007. The report is submitted in accordance with the note by the President of the Security Council of 29 March 1995 (S/1995/234).

(*Signed*) Johan C. **Verbeke**
Chairman
Security Council Committee established
pursuant to resolution 1737 (2006)

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Annex

Report of the Security Council Committee established pursuant to resolution 1737 (2006)

I. Introduction

1. The present report of the Security Council Committee established pursuant to resolution 1737 (2006) covers the period from 23 December 2006, when the Committee was established, to 31 December 2007.

2. The Security Council elected the bureau of the Committee on 18 January 2007. For 2007, the bureau consisted of Johan C. Verbeke (Belgium) as Chairman, with the delegations of Ghana and Peru providing the Vice-Chairmen. During the reporting period, the Committee held two formal meetings and 21 sessions of informal consultations. The web page of the Committee is available at: www.un.org/sc/committees/1737/index.shtml.

II. Background information

3. By its resolution 1737 of 23 December 2006, the Security Council imposed certain measures relating to the Islamic Republic of Iran. These included a proliferation sensitive nuclear activities-related and nuclear weapon delivery systems-related embargo and targeted measures; namely, an assets freeze and requirements concerning travel imposed on persons and entities designated in the annex to the resolution and on any additional persons and entities designated by the Security Council or the Committee. The assets freeze also applies to the assets of persons or entities acting on behalf of or at the direction of designated persons or entities and of entities owned or controlled by them. In addition, the Council called upon all States to prevent specialized teaching or training of Iranian nationals in disciplines that would contribute to the Islamic Republic of Iran's proliferation sensitive nuclear activities and the development of nuclear weapon delivery systems.

4. The Security Council Committee established pursuant to resolution 1737 (2006) was entrusted with undertaking the tasks set out in paragraph 18 of the resolution: to seek from States information regarding the actions taken by them to implement effectively the relevant measures and whatever further information it might consider useful in that regard; to seek from the International Atomic Energy Agency (IAEA) information regarding the actions taken by IAEA to implement effectively the relevant measures concerning the technical cooperation provided to the Islamic Republic of Iran by IAEA and whatever further information it might consider useful in that regard; to examine and take appropriate action on information regarding alleged violations of the relevant measures of resolution 1737 (2006); to consider and decide upon requests for exemptions from the relevant measures; to determine as may be necessary additional items the supply of which to the Islamic Republic of Iran would be prohibited; to designate as may be necessary additional individuals and entities as subject to the assets freeze and the measures regarding travel; to promulgate guidelines as may be necessary; and to report at least every 90 days to the Security Council.

5. By its resolution 1747 of 24 March 2007, the Council imposed additional measures relating to the Islamic Republic of Iran. These included a ban on the export of arms and related materiel from the Islamic Republic of Iran, the designation of additional persons as subject to the assets freeze and to the travel measures, and the designation of additional entities as subject to the assets freeze. In addition, the Council called upon all States to exercise vigilance and restraint in the supply of the seven categories of conventional weapons as defined for the purposes of the United Nations Register on Conventional Arms and related services to the Islamic Republic of Iran, and called upon all States and international financial institutions not to enter into new commitments for grants, financial assistance and concessional loans to the Government of the Islamic Republic of Iran, except for humanitarian and development purposes.

III. Summary of the activities of the Committee

Adoption of the guidelines of the Committee

6. At its first formal meeting, on 30 January 2007, the Committee discussed its initial programme of work. In subsequent informal consultations, until mid-year, members of the Committee mostly discussed draft guidelines for the conduct of the Committee's work. The guidelines were adopted at the Committee's second formal meeting, on 30 May 2007. Among other things, the adopted guidelines incorporated the delisting procedure as outlined in Security Council resolution 1730 (2006). The text of the guidelines is available on the Committee web page. In informal consultations held from June onwards, the Committee discussed, and acted upon, various aspects of its mandate.

Information sought and received from the International Atomic Energy Agency

7. In subparagraph 18 (b) of resolution 1737 (2006), the Security Council tasked the Committee with seeking from the IAEA secretariat information regarding the actions taken by IAEA to implement effectively the measures imposed by paragraph 16 of the same resolution, which defined the scope of the technical cooperation provided by IAEA to the Islamic Republic of Iran, and whatever further information it might consider useful in that regard. Accordingly, by a letter dated 5 February 2007 addressed to the Director General of IAEA, the Chairman invited the Agency to provide to the Committee, at its earliest convenience, such information. IAEA transmitted its report on 8 March, in which it informed the Committee that the IAEA Board of Governors concurred with the actions proposed in the report of the Director General dated 9 February.[1] Out of 55 projects, 22 would be suspended. Technical cooperation would continue for food, agricultural, medical, safety and humanitarian purposes.

8. On 7 August 2007, given that more than four months had elapsed since the receipt of the IAEA report, the Chairman, in a letter, invited IAEA to provide an update and, as it deemed appropriate, any additional details with respect to the technical assistance of IAEA to the Islamic Republic of Iran and paragraph 5 of its report transmitted on 8 March. In a reply dated 22 August 2007, IAEA informed the Committee that no projects had been added to its technical cooperation programme

[1] GOV/2007/7.

since the issuance of its first report, and provided an update on technical cooperation and technical assistance activities since 8 March. Six requests for technical cooperation were considered to be covered and had proceeded; five others had not. Twenty-four requests for participation in technical assistance activities were deemed to be in conformity with resolution 1737 (2006), whereas a further three requests were not.

Implementation reports received from Member States

9. In paragraph 19 of resolution 1737 (2006), the Security Council decided that all States would report to the Committee within 60 days of the adoption of that resolution on the steps they had taken with a view to implementing effectively paragraphs 3, 4, 5, 6, 7, 8, 10, 12 and 17 of the resolution. Accordingly, in a note verbale dated 7 February 2007, the Chairman drew the attention of all Member States to their above-mentioned obligations.

10. In addition, in paragraph 8 of resolution 1747 (2007), the Council called upon all States to report to the Committee within 60 days of the adoption of that resolution on the steps they had taken with a view to implementing effectively paragraphs 2, 4, 5, 6 and 7 of that resolution. In a note verbale dated 20 April 2007, the Chairman drew the attention of all Member States to paragraph 8 of that resolution. The note verbale also served as a reminder to those States that had not reported by then under paragraph 19 of resolution 1737 (2006). These States were given the option to submit a combined report under both resolutions if they so wished.

11. On 19 July, the Chairman sent another note verbale — the third such note — to States that had still not reported under either resolution, encouraging them to submit reports and reminding them that the deadlines set by both resolutions had passed. He also informed these States that submission by other States that had already been received and published could be found on the Committee web page. By the end of the reporting period, the Committee had received 88 reports under resolution 1737 (2006) and 72 reports under resolution 1747 (2007). Of those, 17 were combined reports under both resolutions. A majority of the States that reported indicated that they already had legislation in place that covered the relevant paragraph(s) of the resolution(s). Most others reported on the steps they had taken or would be taking to put the necessary legal framework into place. All States that submitted reports assured the Committee of their commitment to implementing the resolution(s) and to meeting their obligations as outlined therein. The reports were issued as official United Nations documents, unless a State requested that its report be kept confidential (for details, see appendix).

Notifications and requests for exemptions received from Member States

12. The Security Council, by paragraph 10 of its resolution 1737 (2006) and paragraph 2 of its resolution 1747 (2007), decided that all States shall notify the Committee of the entry into or transit through their territories of the persons designated in the annexes to those resolutions, as well as any additional persons designated by the Council or the Committee, except where such travel is for activities related directly to the items in subparagraphs 3 (b) (i) and (ii) of resolution 1737 (2006). During the reporting period, the Committee received, pursuant to the above-mentioned paragraphs, one notification concerning the travel of a listed individual.

13. Subparagraphs 13 (a) and 13 (b) of resolution 1737 (2006) provide exemptions to the assets freeze, for basic expenses and extraordinary expenses respectively, as determined by the relevant States and subject to a Committee decision. In 2007, the Committee received and granted six requests for exemptions under subparagraph 13 (a) and four requests for exemptions under subparagraph 13 (b).

14. Paragraph 15 of resolution 1737 (2006) provides for notifications by relevant States to the Committee of the intention to make or receive payments, or to authorize the unfreezing of funds, in connection with contracts entered into prior to the listing of persons and entities in the annexes to resolutions 1737 (2006) and 1747 (2007). In 2007, the Committee received 30 such notifications. The Committee also, in connection with notifications under paragraph 15, agreed on the text of a model letter to send out to the notifying States in acknowledgement of its notification. Where appropriate, the letter invited the notifying State to consider providing additional information regarding individual transactions, in accordance with the Committee guidelines.

Ninety-day reports to the Security Council

15. Under the provisions of subparagraph 18 (h) of resolution 1737 (2006), the Chairman must report to the Security Council at least every 90 days on the Committee's activities. Accordingly, the Chairman briefed the Council on 23 March, 21 June, 19 September and 18 December 2007.

Queries and other communications received from Member States

16. During the reporting period, the Committee received four written queries from Member States requesting clarification on certain aspects of the sanctions regime imposed by resolutions 1737 (2006) and 1747 (2007). As part of its role of monitoring the implementation of the measures imposed by the Council, the Committee responded to each of those requests.

17. The Committee also received a communication from a Member State forwarding, for the Committee's information, a copy of a letter that the same Member State had sent to the Director General of IAEA, transmitting, on behalf of a group of nuclear supplier countries, a list of items, end-users and procurement agents for which those countries, in their national capacity, had denied nuclear-related exports to the Islamic Republic of Iran.

Working methods of the Committee

18. During the reporting period, in the interests of transparency and in conformity with the note by the President of the Security Council of 19 July 2006[2] and the recommendations of the Informal Working Group of the Security Council on General Issues of Sanctions,[3] the Committee began the practice of announcing the date, time and venue of both formal meetings and informal consultations in the *Journal of the United Nations*. A web link to the *Journal* is also available on the Committee web page.

[2] S/2006/507, para. 47.

[3] S/2006/997, annex, para. 16 (h).

IV. Observations and conclusions

19. The primary responsibility for the implementation of the measures imposed by the Security Council rests with Member States. For its part, in facilitating and monitoring the implementation of the relevant measures, the Committee will continue to discharge its mandate as effectively and efficiently as possible, and it stands ready to consider any proposals that fall within its purview.

Appendix

List of reports, received from Member States pursuant to paragraph 19 of resolution 1737 (2006) and paragraph 8 of resolution 1747 (2007)

Albania	S/AC.50/2007/9	
Algeria*	S/AC.50/2007/65 (combined report)	
Andorra	S/AC.50/2007/50	
Argentina	S/AC.50/2007/57	
Australia	S/AC.50/2007/27	S/AC.50/2007/70
Austria	S/AC.50/2007/11	S/AC.50/2007/66
Azerbaijan*	S/AC.50/2007/107 (combined report)	
Bahrain	S/AC.50/2007/67	S/AC.50/2007/121
Bangladesh	S/AC.50/2007/47	
Belarus	S/AC.50/2007/41	S/AC.50/2007/77
Belgium	S/AC.50/2007/10	S/AC.50/2007/74
Brazil	S/AC.50/2007/26	S/AC.50/2007/82
Bulgaria	S/AC.50/2007/2 and Add.1	S/AC.50/2007/108
Cambodia	S/AC.50/2007/125	
Canada	S/AC.50/2007/33	S/AC.50/2007/75
China	S/AC.50/2007/22	S/AC.50/2007/99
Costa Rica*	S/AC.50/2007/71 (combined report)	
Croatia	S/AC.50/2007/15	S/AC.50/2007/117
Cuba	S/AC.50/2007/38	S/AC.50/2007/89
Czech Republic	S/AC.50/2007/14	
Cyprus*	S/AC.50/2007/128 (combined report)	
Denmark	S/AC.50/2007/13	S/AC.50/2007/85
Ecuador*	S/AC.50/2007/129 (combined report)	

Egypt	S/AC.50/2007/59	S/AC.50/2007/68
Estonia	S/AC.50/2007/49	S/AC.50/2007/113
Finland	S/AC.50/2007/19	S/AC.50/2007/97
France	S/AC.50/2007/17	S/AC.50/2007/84
Georgia	S/AC.50/2007/29	
Germany	S/AC.50/2007/37	S/AC.50/2007/98
Germany (on behalf of the European Union)	S/AC.50/2007/28	S/AC.50/2007/105
Ghana	S/AC.50/2007/136	
Greece	S/AC.50/2007/60	S/AC.50/2007/122
Grenada	S/AC.50/2007/140	
Guatemala*	S/AC.50/2007/100 (combined report)	
Hungary*	S/AC.50/2007/81 (combined report)	
India	S/AC.50/2007/20	S/AC.50/2007/123
Indonesia	S/AC. 50/2007/5	
Israel*	S/AC.50/2007/141 (combined report)	
Italy	S/AC.50/2007/25	S/AC.50/2007/103
Japan	S/AC.50/2007/16	S/AC.50/2007/79
Jordan*	S/AC.50/2007/119 (combined report)	
Kazakhstan	S/AC.50/2007/39	S/AC.50/2007/102
Kuwait*	S/AC.50/2007/118 (combined report)	
Kyrgyzstan	S/AC.50/2007/53	
Latvia	S/AC.50/2007/62	S/AC.50/2007/91
Libyan Arab Jamahiriya	S/AC.50/2007/61	S/AC.50/2007/69
Liechtenstein	S/AC.50/2007/31	
Lithuania	S/AC.50/2007/34	S/AC.50/2007/90
Luxembourg	S/AC.50/2007/64	

Malta	S/AC.50/2007/7	S/AC.50/2007/63
Mauritius	S/AC.50/2007/35 and Add.1	S/AC.50/2007/106
Mexico	S/AC.50/2007/58	S/AC.50/2007/94
Moldova*	S/AC.50/2007/127 (combined report)	
Monaco	S/AC.50/2007/130	S/AC.50/2007/126
Netherlands	S/AC.50/2007/48	S/AC.50/2007/73
New Zealand	S/AC.50/2007/36	S/AC.50/2007/132
Niger*	S/AC.50/2007/135 (combined report)	
Norway	S/AC.50/2007/6	S/AC.50/2007/93
Pakistan	S/AC.50/2007/12	S/AC.50/2007/96
Panama*	S/AC.50/2007/139 (combined report)	
Peru	S/AC.50/2007/44	S/AC.50/2007/86
Philippines*	S/AC.50/2007/137 (combined report)	
Poland	S/AC.50/2007/43	S/AC.50/2007/95
Portugal	S/AC.50/2007/56	S/AC.50/2007/111
Qatar	S/AC.50/2007/24 and Add.1	S/AC.50/2007/87
Republic of Korea	S/AC.50/2007/51	S/AC.50/2007/115
Romania	S/AC.50/2007/30	S/AC.50/2007/101
Russian Federation	S/AC.50/2007/8 and Add.1	S/AC.50/2007/92 and Add.1
Saudi Arabia	S/AC.50/2007/120	
Republic of Serbia	S/AC.50/2007/52	S/AC.50/2007/131
Singapore	S/AC.50/2007/45	S/AC.50/2007/116
Slovakia	S/AC.50/2007/42	S/AC.50/2007/78
Slovenia	S/AC.50/2007/23	
South Africa	S/AC.50/2007/4	
Spain	S/AC.50/2007/55	S/AC.50/2007/112
Sweden	S/AC.50/2007/21	S/AC.50/2007/83
Sri Lanka	S/AC.50/2007/133	

Suriname*	S/AC.50/2007/138 (combined report)	
Switzerland	S/AC.50/2007/40	S/AC.50/2007/109
Thailand	Not published	Not published
The former Yugoslav Republic of Macedonia	S/AC.50/2007/1	S/AC.50/2007/114
Turkey	S/AC.50/2007/32	
Ukraine*	S/AC.50/2007/80 (combined report)	
United Arab Emirates	S/AC.50/2007/46	S/AC.50/2007/104
United Kingdom of Great Britain and Northern Ireland	S/AC.50/2007/3	S/AC.50/2007/72
United States of America	S/AC.50/2007/18	S/AC.50/2007/88
Uruguay		S/AC.50/2007/134
Uzbekistan*	S/AC.50/2007/124 (combined report)	
Viet Nam	S/AC.50/2007/54	S/AC.50/2007/110
Yemen	S/AC.50/2007/76	

* Combined report under both resolutions 1737 (2006) and 1747 (2007).